The RESULT OF A SYNOD AT CAMBRIDGE IN New-England, Anno. 1646.

CONCERNING

The { Power of Magistrates in matters of the First Table.; Nature & Power of Synods; and other matters thereunto belonging.

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Printed by M. S. for John Allen and Francis Egleffield in Pauls Church-yard. 1654.

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The Result of the Disputations of the *Synod*, or *Assembly*, at *Cambridge* in *New-England*.

Begun upon the first day of the 7th Month, An. Dom. 1646.

About the power of the Civill Magistrate in matters of the first Table; and also about the grounds of Synods, with their power, and the power of calling of them.

Being drawn up by some of the Members of the Assembly, deputed thereunto, and being distinctly read in the Assembly, it was agreed thus

Severally,

That they should be commended unto more serious consideration against the next Meeting.

[redacted]uching the Question of the Civill Magistrate in matters of Religion, we shall crave leave to narrow and limit the state of it in the manner of the proposall of it, and shall therefore propound it thus.

Whether the Civil Magistrate in matters of Religion, or of the first Table,

Table, hath power civilly to command or forbid things respecting the outward man, which are clearly commanded and forbidden in the word, and to inflict suitable punishments, according to the nature of the transgressions against the same, and all this with reference to godly peace?

Answ. The want of a right stating of this Question, touching the Civil Magistrates power in matters of Religion, hath occasioned a world of Errours, tending to infringe the just power of the Magistrate, we shall therefore explaine the termes of the Question, and then confirme it in the Affirmative.

By [*Commanding, Forbidding, and Punishing*] we meane the coercive power of the Magistrate, which is seen in such acts. By [*Matters of Religion commanded or forbidden in the word, re[illegible] the outward man*] we understand [illegible]ly, whether those of Doctrine, [illegible]pline, of faith or practice; his power is not limited to such matters of Religion onely, which are against the light of Nature, or against the Law of Nature, or against the fundamentalls of Religion; all these are matters of Religion,

ligion, which may be expressed by the outward man, but not onely these; therefore we say not barely thus [*In matters of the first Table*] but joyn therewith [*In matters of Religion*] that all ambiguity may be avoided, and that it may be understood as well of matters which are purely Evangelicall, so far as expressed by the outward man, as well as of other things. And we say, [*Commanded or forbidden in the word*] meaning of the whole word, both of the Old and New Testament; exception being onely made of such things which were meerly Ceremoniall, or otherwise peculiar to the *Jewish* polity, and ceased to be abolished in the New Testament. By which limitation of the Magistrates power to *things commanded or forbidden in the word*, we exclude any power of the Magistrate, either in commanding any new thing, whether in doctrine or discipline, or any thing in matters of Religion, which is beside or against the word, or in forbidding any thing which is according to the word. Hence he is not to mould up and impose what Erastian form of Church policy he pleaseth, because if there be

but one form commanded now of God; he cannot therefore command what forme he will.

2 Hence he is not to force all persons into the Church, or to the participation of the seale; because he is not thus commanded.

3 Hence he is not to limit to things indifferent, which are neither commanded, nor forbidden in the word, without apparent expediency or inexpediency of attending the same. By that expression [*cleerly*] *commanded or forbidden in the word*, we understand that which is cleer, either by expresse words, or necessary Consequence from the Scripture; and we say *cleerly commanded or forbidden in the word*. Not simply what which the Magistrate or others think to be cleerly commanded or forbidden; for they may thinke things commanded, to be forbidden, and things forbidden, to be commanded; but that which is in it selfe in such sort cleer in the word, *de jure*, the Civil Magistrate in these days since Christs ascension, may and ought to command and forbid such things so cleared in the word, albeit *de facto*, oft-times he does not.

nor. [*Suitably inflicting punishments according to the nature of the transgressions*] This clause needeth not much explication, being so plaine of it selfe; some things commanded and forbidden in the Law of God, are of a smaller nature in respect of the Law of man, and in this respect 'tis true which is often said, that *De minimis non curat lex, i. e.* Mans Law looks not after small matters, but other things commanded or forbidden in Gods Law, are momentous, and of a higher nature, and though small in themselves, yet weighty in the consequence or circumstance. And in this case if he inflict a slight paper punishment when the offence is of an high nature; or contrariwise, when he inflicts that which is equivalent to a capitall punishment, when the offence is of an inferiour nature, he doth not punish sutably. There are sundry rules in the word in matters of this sort, as touching the punishment of Blasphemy, Idolatry, Heresie, prophanation of the Lords day, and sundry other like matters of Religion, according to wch Magistrates of old have held, and others now may observe proportions, in ma-

king other particular Laws in matters of Religion, with sanctions of punishments, and inflicting the same, they inflict suitable punishments: Onely let it be here remembred, that though we grant the Civill Magistrate his power thus to command, forbid and punish in matters of Religion, *clearly revealed in the word*, yet it is one thing *what* he may and must do, and another thing *when* and *how* he must exercise his power to all persons under his Jurisdiction; for some such persons may not be at all acquainted with the true God, or have any knowledge of Christ or of the word, but as yet are *Pagans*: Now touching such, the Magistrate should take care, that the best means be seasonably and wisely used with them, according to their capacities, to bring them first to the knowledge of the true God, and of his word, and to convince them of the falshood & vanity of their gods, whom they worship, &c. and afterwards, as there is cause, to put forth acts of his coercive power towards them, as Scripture-rules and examples will allow others, though they are Christians, yet such as are not clear-

lyinstructed or enlightened in matters clearly set down in the Word; in this case the civill Magistrate is to inform and convince, and not to proceed suddenly till all faire meanes are tried to leave him convinced, of which it is more meet for the Magistrate then for the offending person to judge, who it may be will never say he is convinced. We live in times wherein many men are perversly carried, and will regard no reason, but goe full against the light of it, and of common sense too; sometimes rather then confesse the truth when convinced of it; such an obstinate fool is not to be answered according to his folly by any further reasonings, Prov. 26. 4. (which is fitter (sayth Solomon) for such a backe. By this which hath been already spoken touching the use and rule of the Magistrates coercive power in matters of Religion, the impertinency and invalidity of many objections against this his power will appeare, as

1. That thereby the civill Magistrate is made the Churches King and Law-giver; which would be true if he might command or forbid any thing, which

was

was not such commanded or forbidden of the Lord, who is the Churches Law-giver, which we say he may not.

2. That thereby he is made to have dominion over mens faith; when he doth no more by our position but presse them to that faith, which he, that hath indeed dominion over the same, hath prescribed.

3. That thereby tyranny is exercised over mens tender consciences, and true liberty of conscience is infringed; when as he *de jure* commands nothing but that which, if men have any tenderness of conscience, they are bound in conscience to submit thereto, and in faithfull submitting to which is truest liberty of conscience, conscience being never in a truer or better estate of liberty here on earth, than when most ingaged to walke according to Gods Commandements.

4. That thereby Christians become servants of men; when the Magistrate only is to enjoyne what his Master and theirs hath commanded, or to forbid the contrary, and consequently in submitting thereto are but servants to Christ in man.

5. That

5. That thereby men are made hypocrites and time-servers; as if to command men to walke according to the Word, and to forbid the contrary, were to make men so contrary to the Word as are time-servers and hypocrites.

6. That thereby a doore is opened to let in all manner of false religions, and corrupt opinions into the Church: supposing the Magistrate be of any false religion, or corrupt in his judgement; yea, that were the way to set up a Pope in a Christian Common-wealth, for Religion must worne as he turns. When as the question is touching the Magistrates power of commanding or forbidding not what he in a Popelike way shall please, or what his own spirit shall like best, but what God hath commanded or forbidden in the Word; and the position subjecteth him to the Word as to the supream Law, and doth not set him up Popelike above the Scriptures, or allow him to make his sense of scripture, to be Scripture, or to make humane traditionall Cannons to be as much of force as Scripture to bind mens consciences &c. but the position rather condemneth any such power as

irregular,

gular, usurped & not approved of God, which swerveth from that rule of the exercise of his power in matters of religion; namely, the Scriptures; and the contrary to that objected would rather follow, that if there must be no King or civill power among Gods professed *Israel*, coercively to restraine forbidden evills in Religion, then every man would hold and doe as he list, as if every one were a Pope, and then *Micah's* Idolatry and any other abominations may be set up.

7. That thereby the civill Magistrate is put upon many intricate perplexities & hazards of conscience, how to judge in and of matters of Religion.

But this doth not hinder the Magistrate from that use of his coercive power, in matters commanded or forbidden in the first Table, no more then it doth hinder him from the like power in matters of the second Table; none being ignorant what perplexing intricacies there are in these all well as in the former; as conscientious Magistrates finde by dayly experience; yea such as object this will not deny this power in the latter, and why then in

the

the former; the objection proveth the difficulty of his knowing of Gods minde in his place, and if it had been objected against Church-Officers power in Churches, or the power of Parents and Masters in their families, it would have proved the same; but it followes not, its difficult for a man in authority to know the utmost of his duty in his place, therefore its not necessary for him to doe his duty in his place.

They which inaugurated *Joash* to be King, 2 *Chron.* 23. 11. they put upon him the testimony (as the Hebrew words used to be expounded) to shew that it was his duty as a King not onely to know the testimonie or booke of Gods Law, but authoritatively to establish what was written in it.

8. That thereby persons are put upon acting with doubting consciences; the Magistrates injunctions being ofttimes not cleare to such as are to obey them, and so they are thereby compelled to sin. When the position affirmeth this power *in matters cleared in the word*, which if was cleared to this or that subject in a Christian Common wealth, that is his owne fault, by his owne ignorance

norance of matters which he is bound to know, to bring any such snare upon his conscience, and in such a case he may desire the Magistrate to use the best meanes to cleare up the matters enjoyned or forbidden, to be commanded or forbidden in the Word; but neither of these hinder but that the Magistrate is to command or forbid that which God hath commanded or forbidden; even that which Christ hath commanded or forbidden, should not then be urged upon mens consciences by Church-Officers, or Church-censures be executed against obstinate gaine-sayers, because through error in judgement, and corruption in conscience, men will say then and after all meanes used for conviction, they may still affirm that they thinke otherwise, or at best that they still doubt of the matters in question, yea albeit the matters be fundamentall.

9. That hereby Christians are discouraged from seeking more light or hindred from embracing or following such new light as the Saints expect in these latter dayes. Where it is evident that the commanding and forbidding things

things cleared in the Word, to be good or evill, doth neither expresse what light men have from the Word, nor discourage from more light in & from the same, as not in matters of the second Table, so neither of the first.

10. That thereby conscientious men especially, will come to suffer, because Magistrates may think things commanded or forbidden of God, and accordingly ratifie them by their authority, which God did never command or forbid, when as the question is not concerning Magistrates enjoyning what they thinke, but what is the minde of God; nor can the prelling of the minde of God commanding what he requireth, and forbidding the contrary, be any just or proper cause of suffering to men truly conscientious.

The Magistrate may indeed through mistake command or forbid things, respecting not onely the first but the second Table. But this doth not deprive civill Magistracy therefore of coercive power, as not in matters of the second, so neither of the first Table; but in this case Christians must be content to suffer in either, albeit withall the Magistrate doe breake his rule. 11.

11. That thereby we shall incourage and harden *Papists* and *Turks* in their cruell persecutions of the *Saints*; whereas for the Magistrate to command or forbid according to God, as it is not persecution, so neither doth it of itselfe, tend to persecution. Power to presse the Word of God and his truth, doth not give warrant to suppresse or oppresse the same: the times are evill indeed when the pressing of obedience to the rule shall be counted persecution.

12. That thence are caused all the warres in Christendome at this day; when it is evident that the pressing men to obey the will and word of God in matters either of the second or first Table, is not of it selfe any cause of warre, but the lusts rather of men to abuse their power contrary to the Word.

By this already spoken we have seen the ruine of twelve of our opposites Castles in the ayre, imaginarily framed to withstand the civill Magistrates coercive power in matters of Religion.

Let us now in the next place consider of the object of this coercive power of the Magistrate, which in the state of the question

queſtion we call the (*outward man*) the things which the civill Magiſtrate, as ſuch, doth command or forbid, he commandeth or forbiddeth with immediate reſpect to the outward man. The Magiſtrate as a Magiſtrate looketh immediately at the externall acts of the body, and not at the internall acts of the ſoule, its his property as a civill Ruler to attend onely the duties and ſinnes which appeare in the walke of the outward man. Thus *Calvin*, *Beza*, *Chemnitius*, *Gerard*, and other Proteſtant Divines generally.

Hereby alſo other objections receive anſwer; as firſt, Muſt Magiſtrates puniſh any man for being of a corrupt judgement, or barely for an errour in his judgement, or for having a corrupt heart, and ſundry luſts in it? *Queſt.*

We ſay no: becauſe whilſt he keepeth his opinion to himſelfe, and whileſt his luſts are confined within his breaſt, he is to be left to the ſword of the Spirit, and to the Word of God, thereby onely to be convinced; the Magiſtrates power onely extending to the outward man, but if either his mentall errours, or hearts luſt breake out into open ex- *Anſw.*

pression and view, and become scandalous and spreading, then they become breaches of rules by the outward man, yea, tend to infringe that outward godly peace, of which he is to be a preserver, and so in both respects he is to deale with the same.

Object.2. Must a Magistrate command men to believe with all their heart, to repent and mortifie their sins and lusts?

Answ. We say no: because these appertaine to the inward man and soule of man, to attend so farre as they are inward, but if we speake of any outward profession of these, so farre he may command as to professe the faith by comming to heare the Word, and to repent by publick fasting and prayer. And if Princes have no power in such externall things, then have they no power instrumentally to remove the wrath of God from their Kingdomes by generall humiliations.

Briefly now of the manner and means of the exercise of this power, included in that phrase [*civilly*] we say not *ecclesiastically*, as if he might put forth his power in a Church way, & by Church-weapons or censures, but civilly or in a civill

a civill way or by civill cenſures or puniſhments.

Whence alſo other objections are anſwered, as that the weapons of our warfare are not carnall but ſpirituall; and that *Paul* ſheweth a way of redreſſing all offences, 1 *Cor.* 5. 5. 2 *Tim.* 2. 25. and Faith comes by hearing, and not by whipping: when theſe places rather intend and ſhew a Church way of healing Church offences: and doe no more exclude a Politicall way of healing offences in a Chriſtian Common-wealth, than an Economicall way of redreſſing diſorders in the Family; ſo the other place ſheweth a ſpirituall means of drawing men to the Faith; ſo that neither are pertinent to the caſe of the Civill power, acting civilly; nor doth this Aſſertion, *That the Magiſtrate is to be a terrour to all evill works*, (applying the ſame to evill works forbidden in the firſt Table) any more exclude the uſe of Church-diſcipline therein: then it doth in matters of the ſecond Table, if applyed thereunto; for the Church may proceed in her way to cenſure *Eccleſiaſtically* one and the ſame thing, whether it be againſt the

first or second Table, which the Magistrate doth punish *civilly*.

The last thing to be explained in the state of the Question is, touching the *coercive power* of the Magistrate, namely, *Godly peace*. Now by *Godly peace* (to which the Magistrate immediately looketh) we mean a peaceable living, as in all honesty, so in godliness, as the Apostle hath it, 1 *Tim.* 2. 1, 2. So far as any matters of Religion, coming under the Magistrates cognizance as a publick Officer in the Commonwealth, doe either further or hinder such a peace of a Christian Commonwealth, so far is he to put forth his coercive power accordingly.

Hereby also, with reference to things before explained, other Objections may receive answer, as

1 Will you have Magistrates put forth their coercive power to the full, in Lawes, with Sanctions of punishments; as that men shall pray in their Families, so long, or so oft, or else suffer? That a Minister in preaching, if he exceed a just houre, he must suffer, and the like? we say, if either the matters be meerly circumstantiall, or if they

they be matters of leſſe moment, and ſuch as doe not of themſelves any way infringe publick peace; or that they are not pertinatiouſly & tumultuouſly maintained to the diſturbance of publick peace, in all ſuch like caſes, wherein the Civill Magiſtrate's end is not intrenched upon, he may not exerciſe the coercive power of his Authority, with ſanction, or execution of puniſhments.

2 Will not this *Theſis* arme and ſtir up the Civill power in Old *England*, againſt godly Orthodox ones of the Congregationall way: or exaſperate Civill power in *New England*, againſt godly, moderate, and Orthodox Preſbyterians, if any ſuch ſhould deſire their liberty here? we conceive no, except the civill diſturbance of the more rigidly, unpeaceably, and corruptly minded, be very great; yet betwixt men godly and moderately minded on both ſides, the difference upon true and due ſearch is found ſo ſmall, by judicious, Orthodox, godly, and moderate Divines, as that they may both ſtand together in peace and love; if liberty ſhould be deſired by either ſort here or there ſo exerciſing their liberty, as the

publick peace be not infringed: The state of the Question in the explication thereof, will rather quench then kindle any such coales against either; If indeed persons professing either the Congregationall or Presbyteriall way, will shelter or close, either with other Blasphemous, Hereticall, or Schismaticall Tenents, which tend to break the peace of the Congregationall way there where a Presbyteriall way is authorized to be the generall way of the Churches, or the Presbyteriall way here, where the Congregationall way is authorized to be the generall way of the Churches, there they may be strained by the power of the Civil Magistrate, as disturbers and breakers of godly peace, the conservation whereof is the Civil Magistrates end and work, unto which he is to attend.

Having thus cleared the state of the Question, we shall now come to some Arguments from Scripture, which confirme the Affirmative part of the question so stated; and the Arguments are taken some from the old, some from the New Testament. Of the former sort there are three,

1 In

1 In that it is evident that Rulers of old, and those Rulers in the Common-wealth of *Israel*, they are commended in Scripture for the exercise of such power in the matters of the first Table; and therefore it is according to the mind of God that now civil Rulers do the like. *Abraham*, who was not an ordinary master of a family, but a Prince among them, *Gen.* 23. 6. He is commended for laying the force of his command upon those under his power, in matters of Religion, *Gen.* 18 19. And if he had been considered as a Master, yet less would not be granted that way to a Ruler of a Common-wealth, than of a Family, but rather more. *Job* as a civil Ruler, as a King in an Army of persons under his command, did not leave each of them to chose out their own way of Religion or justice, but he chose it, he determinatively set it down for them. *I sate as King in an Army, I chose out their way*, &c. *Job* 29.25. The King of *Ninivey*, with his Princes, did not barely commend that duty of fasting and prayer, to his people, as very convenient to be attended, yet leaving them to their liberty to omit the

From the Old Testament. *Argum:* 1

same: but he positively commands the same, that the wrath of God might be prevented, *Jonah* 3.7. The word is used for a coercive command or decree, *Ezra* 4.21. & 6.11. *Dan.* 3.10, 11. & 29. & 6.7, 8, 9. & 13. and the act of the civil Authority of *Ninivey*, having so much influence into the peoples act, *Jonah* 3.5, 6, & 7. verses compared, is implicitely commended by Christ, in his commendation of the repentance of the men of *Ninevey*; and so of the King and Princes of *Ninevey*, whose hearts were so thorowly touched, as to improve their authority to further that civil work of *Ninevy's* repentance. The examples of *Moses*. *Joshua*, *David*, *Solomon*, *Asa*, *Jehosaphat*, *Hezekiah*, *Josiah*, *Nehemiah*, &c. are obvious to every ordinary eye, which looks into the Scripture.

Object. They of old were Types, therefore their examples are not now of force for our imitation.

Answ. We suppose the Objection intends not by *Type*, and *exemplar* for imitation, as Type in a generall sense is used, 1 *Cor.* 10. 6. compared with 11. for this were to overthrow the scope of the

the Objectors, but rather it meaneth a *Type* ſtrictly taken, namely that they in that exerciſe of their power, did but ſhaddow out Chriſts Kingly power; but of this the oppoſites give onely a barren aſſertion, without proof, and that will not carry it. But we ſhall anſwer it more particularly.

1 Then ſuch may as well ſay, thoſe Rulers did ſhaddow out Chriſt in the exerciſe of their power in matters of the ſecond Table, and therefore are not therein imitable, which none will affirme. *Solomon* typed out Chriſt in ſubduing of enemies, relieving the opreſſed, procuring the peace of the ſtate, *Pſal.* 72. Muſt not Princes therefore doe the like?

2 Thoſe that make that Objection, they uſe to put it thus, The Kings of *Iſrael* were ſuch Types; but ſuch an one was not *Abraham*, nor *Job*, nor *Nehemiah*, who by a Coercive Law injoined the ſanctifying of the *Sabbath*, Neh. 13. nor the King of *Ninevey*, nor was that wicked King of *Iſrael*, *Ahab*, a type of Chriſt, which ſhould have put that blaſpheming *Benhadad* to death [whence that ſharpe reproof of him for not doing

ing it, 1 *Kings* 20. To say nothing of *Darius* & *Nebuchadnezzars* Decrees this way, which are recorded in way of commendation thereof, *Ezra* 6. and *Dan.* 3. 29.

3 *Salomon* himselfe (who if any were types of Christ therein, he was) setteth it downe by direction of the Spirit as a morall duty of each King indefinitely, that (howsoever *de facto*, many doe otherwise, yet *de jure*) *he scattereth away all evill with his eye*, Prov. 20. 8. meaning all publick evil which cometh within his ken; as a King or publick person, whether the evill be against the first or second Table; unlesse any make exception, and say, that either there are no sins against the first Table coming under the Magistrates view, or though they doe, yet they are not evil.

4 It was a stated doctrine in the time of *Job* (who by the most judicious is thought to live before *Moses*) and it is attested and approved by the *Holy Ghost*, that sins against the first Table, as *Idolatry*, was iniquity to be punished by the Judges, *Job* 31. 26, 27, 28. as well as sins against the second Table,

as

as *Adultery*, ibid. *verſ.* 9. and 11.

Thoſe Rulers of old did thus as Members of the Nationall Church of the *Jewes*, the ſame perſons being Members of Church and Common-wealth; but it is not alwayes ſo now. *Object.*

1 Then at leaſt where Magiſtrates are Members of Churches, they may in theſe dayes exerciſe ſuch power. *Anſw.*

2 Though they were Members both of Church and State, yet they were to put forth their Coercive power civilly, not as Members of the Church, but of the State, elſe it had been to confound Church and State, yea, to make God (which directed to it) to be the author of that confuſion.

3 They were to puniſh ſuch to whom they ſtood in no Church relation at all, but meerly Civil, for ſins againſt the firſt Table. Hence *Ahab* was blamed for not puniſhing *Benhadad* blaſpheming God, as if a God of the Hils, but not of the valleys: Hence *Nehemiah's* reſolution to puniſh even any of thoſe ſtrangers which ſhould prophane the Sabbath, *chap.* 13.

4 *Job*, and thoſe Judges mentioned in his time, as bound to puniſh *Idolatry*,

try, were no Members of the Jewish Church.

Object. If you make the example of the Princes of *Israel*, acting Coercively in matters of Religion for Magistrates imitation, why doe not you make the *Levites* a pattern also to Ministers now, to act as they did civilly, in civil censures?

Answ. 1 It's not clear that the *Levites* did act any further than by counsel, or at most by some generall consent to that which the Princes were formally to Act.

2 If the *Levites* did act in matters of the State by a peculiar liberty, it doth not follow, that this can invalidate the Rulers power, then acting in matters of Religion; as if by a peculiar liberty also, unlesse the Objection could be bottomed on the proportion betwixt the *Levites* then, and the Rulers then: Thus, that as the *Levites* which by speciall liberty (proper to those times, and so not imitable now) did intermeddle in matters peculiar to Magistrates, so the Magistrates then did intermeddle in matters peculiar to the Priests, by a liberty proper to those

times;

times; and this would be crosse to expresse Text, 2 *Chron.* 26.16. where *Uzzias* medling with Priestly matters of offering Incense, is made a transgression against the Lord, for which he was afterward ruined.

3 We make the *Levites* intermedling judiially in Civil matters, therefore not imitable, because what they are supposed to doe that way, was by a liberty peculiar to that time; but we make the example of the civil Rulers acting their Coercive power in matters of Religion, imitable, because not peculiar to the Jewish Church, as appears, in that what power they that way exercised, the same in substance did *Job*, and other Judges in his time, by Divine direction and approbation, put forth; yea the judiciall act of *Nebuchadnezzar* in punishing *Ahab* and *Zedekiah* with death, not for their Adultery onely (a sin against the second Table) but for their false doctrine (a matter of Religion) was of Gods appointment, *Jer.* 29. 21. with 23. and hence by Gods appointment was this execution of Gods vengeance on them, made a proverbial Curse, *vers.* 22.

A se-

Argum:2 A second Argument is, in that it's recorded as a most desperate and accursed state of old, that they had no King or chief Ruler in *Israel*, to restrain, as Adultery, and Murther (sins against the second Table, *Judges* 19. 1. with *chap.* 20.) so Idolatry (a sin against the first Table, *chap.* 17. 1. & 18. 1. compared) but every man had his liberty, to doe what was right in his owne eyes.

Argum:3 The third Argument is, in that it is recorded as a matter of speciall guidance and direction of God, and acknowledged by *Ezra*, inspired by the Spirit, as a special mercy of God to his people, that *Artaxerxes* an Heathen King, had an heart to put forth his coercive power injoyning things commanded of God, and forbidding, with sanction of sutable punishments, the evils, whether against the Lawes of the King, or against the Lawes of God, whether concerning Religion, or righteousnesse: whence we argue, that this use of the civil power was of God of old, and therefore the same is as well of God now. *Artaxerxes* was indeed an instrument in the hand of Christ, but

not

not therefore a Type of Christ: Nor was this of the nature of a meer Jewish judiciall Law, because injoining punishments, moral offences being punishable; and yet not therefore of a meer judicial nature, or meerly against a judicial Law; besides this act of *Artaxerxes* respected civil matters, and matters of the second Table (which none will challenge as not imitable) as well as matters of Religion. And that which some object, that he did this for fear of wrath, rather confirmeth the morality of the use of such power, then otherwise. For what ground of fear in not putting forth such coercive power, if the omission of it were not sinfull? Yea, if the use of such a coercive power in matters of Religion, were not according to Gods mind (as our opposites say) he might rather more groundedly have feared Gods wrath for such an high offence, as usurpation of a power which the Lord disliked, and forbade.

Thus much of the first head of Arguments from the Old Testament; those from the New follow, and they are foure.

The

From the New Testament. *Argum:* 1

The first is taken from *Rom.* 13. If God will have every soul in and of the Churches, and that of *Rome*, as well as others, to be subject to civill Magistrates, as being *powers ordained of God*, v. 1. *an Ordinance of God*, v. 2. *a terrour* not to good works, but to *evill*, v. 3. *the ministry of God for their good*, v. 4. and that *for conscience sake*, v. 5. Then Magistrates are to put forth coercive power in such matters of Religion, respecting the outward man. But the former is true, *ergo*, the latter.

Object.

All this may be true, and yet verified onely in matters of the second Table, and is extended to matters of the first, yet onely to such things as are against the Law of Nations, or the light of Nature, and so no proof of that for which it is urged. He is a terrour to evil works, but it is not said he is so *to all evill works.*

Answ.

1 If all this be restrained according to the intent of the Objection, then is none to have praise, approbation, incouragement from Civil Authority, by reason of matters of *Faith*, or of *Religion*, but for matters of righteousnesse onely: or if for any matters of Religion,

gion, yea onely for such as stand with the light of nature, and Law of Nations; as the third Verse must be Expounded. For if it be supposed, that it is an act of Justice (whereof the Magistrate is Minister) to distribute rewards in any matters of Religion, that appeares in the walk of the outward man, and respect godly peace in way of encouragement, it must needs be an act of like justice, to distribute punishments to the contrary. The Magistrate being, according to the Apostles distribution, a Minister of God, as well when he encourageth good, as when he represseth and punisheth evil.

2. The Objection would make onely offences against the rules of the second Table, or at most, those that are against the Law of nature and Nations (which come under the view of the Magistrate, as a publick Minister of God) to be evill works, and not other sins of like publick cognizance & concernment, respecting other matters of Religion. For if both sorts of offences are evil, he being a terrour to evil works indefinitely, which come to his publick cognizance, he is a terrour ex

officio,

officio, to both; and it is vaine to say, he saith *evill works*, not *all* evil works; for so he saith, he is not a terrour to *good works*, but saith not, to *all* good works, and therefore if that indefinite (*good works*) be not equivalent to that generall (*all good works*) he may then it seems be a terrour to some *good works* which come under his publick cognizance.

3. We are yet to speak of that limitation, where the New Testament alloweth the civil Magistrate power, as in matters of righteousnesse, so in matters of Religion; so far namely as the light of nature, and Law of Nations extendeth in matters of the outward man, which come to his publick view: but restraineth him from medling further in any matters of Religion, of like publick cognizance and concernment. That Scripture ground of this distinction and restriction, would be produced.

Object. I, when *Paul* wrote this Epistle to the *Romans*, their Rulers were Pagans, and what coercive power was it likely they would put forth in any matters of Religion, unlesse against the true Re-

Religion, as undermining their Paganisme; Crying downe the same as worship of Deyils, and teaching them to cast off their Heathen Gods as no Gods? They did not look at Jesus Christ as their Supream Lord, but as a new upstart God in comparison of their *Roman* Gods; and to make penall Lawes against false doctrine or Religion, had been to make Lawes against themselves as well as others, and to make Lawes against the present light of their owne consciences.

This no way weakneth, but strengthneth what we have said: For if even those Pagan Rulers in *Pauls* time, were (by their Office Ministers of God) then bound to improve their Authority for the ratifying and establishing of his Lawes, and for those of the first, as well as second Table, and then bound by their Office (as Ministers of God) to rule for him, and the exacting of his rule in and over their subjects. And that they did not know, and doe thus, it was their sin. Many of them thought plurality of wives, fornication, rash divorces, incestuous marriages, usury, &c. no sin, and it may be said, if they had *Answ.*

had made Lawes against these, they had made Lawes against themselves, and the light of their owne consciences, as thinking in their seduced, blinded consciences, that these were lawfull; yet all will say, they were all Ministers of God, and bound to know and doe otherwise. *Nero* is branded for a beastly person, a Lyon, in that he abused that Authority of his, which of right should have beene improved for encouragement of *Paul* in his Ministry and doctrine, to be a means to endeavoure to destroy and devoure him, 2 *Tim.* 4. 17.

2 A second Argument is taken from 1 *Tim.* 2. 1, 2. We are to pray that we may have such Magistrates as may act Authoritatively in matters of Religion and piety, as well as of righteousnesse and honesty; therefore it is the mind of God, that civil Magistrates should put forth their power in the one as well as in the other.

Object. Yea but some have said, If you now allow civil Rulers power in matters of Religion, they will persecute us.

Answ. The Apostle doth not answer; pray therefore in these persecuting times of Romish Emperours, that they may not meddle

meddle at all coercively in matters of Religion, as being to usurpe power not belonging to them; but rather pray that they may use this power which they have aright, or as we may peaceably exercise acts of Religion, as well as honesty; nor doth he say, pray that they may deale in matters of Religion negatively, that is, so as authoritatively to hinder any from disturbing any Christian in that which he taketh up for truth or piety; or in any opinion which he may hold, and yet be a godly man; no more then he saith, pray that they may deale so in matters of honesty, as to hinder any from disturbance in any supposed course of honesty, yea in any acts of dishonesty, which may be incident to one, that yet in the main is godly, for that were to pray to be let alone in all ungodlinesse or dishonesty: Nor doth he say, pray that every one may live according to his Conscience, or hold out any opinion, Tenent, or practice, suiting with his conscience, so it race not the foundation of godlinesse; but pray for them, that we may live in all godlines peaceably, or that we may with quietnesse

and encouragement so carry it, as will stand with godlinesse it selfe, yea with godlinesse in the highest degree of it, or any part of it, *in all godlinesse*.

A third Argument is taken from *Isa.* 49.23. which though a Scripture of the Old, yet respecting the dayes of the New Testament, and the substance of the Argument stands thus. It is the mind of God that civil Rulers in the dayes of the New Testament should Authoritatively act in spirituall things, which are to the Church as milke; therefore it's his mind that in these dayes they should act Authoritatively in matters of Religion, we say *to act Authoritatively*, because to act *as Fathers and Mothers*, and therefore not to act meerly alluringly (as some say) or in a generall way of countenance, but *coercively*: Fathers act fatherly in commanding, in forbidding, and in punishing, as well as in kissing, and giving good words; in taking the rod, as giving an Apple; nor doth he say, they should be *Nurses*, as if they were to take upon them to act officially in Preaching or in administration, whether of Church seales, or of Church censures,

The

The nature of the ſimilitude forbids it. Nurſe-fathers cannot give milk to the Child, but *Nurſe-fathers*, and *Nurſe-mothers*, to take Authoritative care, what milk either Church-Officers, or any others yield forth to the Church, to ſee that it be good, and accordingly to reward and encourage it, to look that it be not bad, but coercively to reſtrain it, at leaſt from being milked forth to the Churches hurt: Albeit if kept within the breaſt that bred it, it is out of their cognizance; nor is this ſpoken of Heathen Rulers, as Pagans, not Chriſtians, but of ſuch which though as civil Rulers they command in matters of Religion, or righteouſneſſe, yet as Members of the Church they obey the Church, ſtooping to its doctrine and diſcipline ſo, they lick up the duſt of the Churches feet.

4 A fourth Argument is taken from *Zech.* 13. 2, 3, 4, 5, 6. it is Prophecyed of as an approved act, of the zealous Members of the pureſt Churches to be in the dayes of the Goſpel, to make uſe of the coercive power of the civil Magiſtrate in matters of doctrine. (a matter of Religion:) therefore it's the

mind of God that in these dayes such coercive power in matters of Religion should be exercised; nor may any here restrain these words to Church-censures, it being not the use of the Holy Ghost to expresse Church-censures greater and lesser, by taking away the life, wounds, and workes in the hands, but rather proveth that power of civil Authority to inflict death in some cases of false doctrine, and some other reproachfull corporal punishments, in some cases of errors which are not of moment as the other.

Thus much for the Arguments proving the Position; we shall briefly now take off two or three generall Objections, and then come to a close of this Question.

The weapons of our warfare are not carnall, but spirituall: Therefore no such use now to the people of God of such carnall weapons as the penall Lawes or censures of Civil Magistrates in matters of Religion.

It's the unhappinesse of the most of the Arguments in the late Pamphlets and Pleas for Liberty, used against this Coercive power of the Magistrate in

some cases which we plead for, that if they be forcible, they conclude universally, even against that coercive power which our opposites allow to him in matters of the second Table, and so far also of the first, as in things against the light of nature, and Law of Nations: And of this we have a taste in this Argument; for besides the mistake of applying this, as if meant of other persons, then of Church Officers (contrary to the very scope of the Text) the Argument concludeth against the use of Civil Magistrates power by Civil Rulers in matters of the second Table, as well as of the first, because spirituall weapons are as weighty to pull down strong holds against the second Table, as well as against the first: Of like nature is that Objection, *Christs Kingdome is not of this world*, this (if of any force) excluding wholly, takes away the Magistrates power in both Tables.

The Church hath sufficient power to reach her ends, in curbing or curing offences in any matters of Religion; therefore what need is there of such coercive power therein of the Civil Magistrate. *Object.* 2.

Sup-

Answ. 1. Suppose it were granted, that therefore the Church, as a Church, stood not in need thereof: yet the Church, considered as a Civil Society, stood in need thereof, and so far the state of the question were yielded. Or what if the Church had no need, yet in respect of other subjects enjoying the light of the Gospel, though not actually of the Church, as persons not yet joyned to any Church, or such as are actually cast out of the Church, that power might be most needfull; else they might vent things as well against the light of nature, as Law of Nations, or deny things obstinately, which are fundamentall, albeit not against the light of nature, or Law of Nations; as for example, that *Jesus Christ* is the Redeemer and onely Mediatour; that the *Scriptures* are the word of God, &c. should yet not be restrained: yea, that were to suppose some under the shining of the Gospel, left of the Lord in a lawlesse condition (in respect of any Authority to restrain them) in matters of Religion; the Civil power may not meddle with them, and Ecclesiasticall cannot, as not being actually of the Church.

2 The

2 The Church hath ſufficient power to reach her ends, in curbing and curing offences of the ſecond Table; yet none will thence conclude, that therefore no need to the Church therein, of the Coercive power of the Magiſtrate.

3 The Church aimeth at reſtraint from infection of others, as well as amending the parties themſelves; now ſuppoſing the Church caſting out a perſon for obſtinate holding of Hereticall Tenents, yet the Church cannot now reſtraine him any further in any Eccleſiaſtical way, but that he may now doe more miſchiefe in ſpreading his Tenent then ever, unleſſe the Magiſtrate alſo exerciſe his Coercive power.

4 The Church may in caſe by clamorous noiſe, made in the Aſſembly, or otherwiſe by faction, be hindred from the exerciſe of its power to cenſure, and ſo although it have power enough to act, yet it will need the Magiſtrates help to exerciſe that power, unleſſe we durſt plead as ſome (it ſeems doe) that in this caſe the Elders may act by corporall force to redreſſe it, as *Phineas* the Prieſt did, in killing *Zimri*, and *Cozbi*, diſturbing the Congregation,

on then humbling themselves before God; but we say, that was extraordinary, as was the act of *Samuel* in cutting *Agag* in pieces; of *Elijah* in putting *Baals* Priests to death; and *Peters* act against the life of *Ananias* and *Saphira*; nor would we plead the Priests example, 2 *Chron.* 26. in thrusting out *Uzziah* out of the Temple, or such like Arguments; supposing that the Priests of old, and the Levites might, by a dispensation peculiar to those times, be allowed more liberty of acting in matters of a Civil nature, both in the great *Synedrion*, and other where, then any of us dare say is imitable by, or allowable to Churches, or Church Officers now.

Object. Thirdly and lastly, the tares are commanded to be let alone, *Mat.* 13. 29,30. Therefore what Authority hath the Magistrate to restraine or punish men now under the Gospel, but rather to leave Christians to the liberty of their owne Consciences?

Answ. This is a Parable, and therefore to be taken in the scope and substance, and not according to the circumstances there-

thereof, as *Peter Martyr* noteth in this caſe. Now the ſcope of part of the Parable, is not to be a direction unto us, what we ſhall doe in point of exerciſe of any power with us, but conteins ſimply a doctrine of providence, what God will order to be the condition of his viſible Church in this world, and therefore to ſhew, that Chriſt intended not any rule of precept of our duty in this ſentence of the Parable, *verſ.* 29, 30. (Nay let both grow together) he doth not in his after expoſition of the ſeverall branches of the Parable, inſiſt at all on the branch mentioned, to give any explication thereof; and if it were any direction, it muſt either look to Civil or Church power; if to Civil power, then ſince the tares are expreſly interpreted to be the Children of the Devil, and ſuch as offend, and doe iniqnity, and are as reprobates to be burned, or damned, *verſ.* 38. Then the worſt wretches that live, Murderers, Buggerers, Traytours, &c. muſt be all let alone in their ſins, and onely left to Chriſts Judgement at the laſt day.

And

And our opposites have least reason to stretch this Parable, as respecting any restraint of the use of the Civil power, when the very scope of it, is not to tell us touching the state of the Civil Kingdome in this world, but rather of the state of the Kingdome of God, or the Ecclesiasticall part of the world (the visible Church) and if it look at any restraint of the use of power, it striketh rather at the use of Church power; but if it look at Church power, then the Churches are not to censure Hereticke, no, not though obstinate, contrary to *Titus* 3. No incestuous, adulterous, covetous Church-members; contrary to 1 *Cor.* 5. And that the Parable never intended any abridgement of either powers in the just exercise thereof, is evident in that it speaketh

1 Of such an extirpation of Offendours as is onely possible to Angels armed with Christs power; and

2 Of an universal extirpation of all, and every reprobate, from among the company of the Elect; neither of which hinders, but that

2 To such particular offendours as may be rooted up by Civil and Church power,

power, without danger and hurt to godly ones; as are obstinate seducers, Heresicks, and they may and ought so to be.

2 Such particular Offendours, which by their continuance amongst Gods people, doe over-run, and over-top them, in such sort as they are hurt and endangered by them, and they cannot grow and thrive spiritually by reason of them, they may & ought to be rooted out by both powers; for if there be any force in the Parable in this way, it is to shew, that the tares are to be suffered, in reference, not to the hurt, but to the good of the wheat; so that which tends to the corrupting, blasting, and destruction of the wheat, is therefore to be removed, because hurtfull and pernicious to the wheat; so that our opposites would gain nothing to their cause, by pressing this Parable, as directory that way to us; but wee rather (upon the reasons before going) conceive it to be set down not as a direction, or any Command of Christ enjoyning us thus or thus to doe; but as a doctrinall instruction, that God may and will in his providence suffer for

for a time, mixtures of good and bad together, elect and reprobate, in his visible Church; nor are we to fret, or be discontented at his providence in it, or to think that by any course we can take, it will be otherwise, while, and where ever we are in this world; like to that speech of *Paul*, 1 Cor. 5 10. Now in the close of all, let it be considered whose doctrine doth most infringe true liberty of conscience; those which would have every Christian left to the liberty of his owne conscience, in matters of Religion, which at least are not against the light of nature, Law of Nations, or those that maintaine the fore-named power of the Magistrate; for suppose the Magistrate be a Christian, he must be left to the liberty of his Conscience too, as well as others: Now if left to the Lesbian warping rule, what if he in his own Conscience, through temptation and errour, be in most things a Papist, which may stand with the Law of Nature and Nations, or suppose he in Conscience deny Jesus Christ to be the Mediatour, or such and such Books in the Old and New Testament to be the word of God,

yea,

yea, or that there is any use of the Scriptures, but we must onely depend on Revelations; and herein the Law of nature and Nations leaves him: Now he in Conscience thinks, he is bound to establish this as a Rule to all others, which to him is the truth; and in conscience to oppose all contrary doctrine, what then will become of subjects liberty? The word is not made the rule to regulate this Rulers Conscience, according as we say it should; for if that were so his Rule, there were a remedy and way to bring him to the Rule; but his conscience, judgements, and phantasie, touching the Rule that is by this Tenent made his Rule, according to which he must be left freely to act without restraint. The mischiefs necessarily following this, if once cryed up, we leave to such of our opposites sadly and seriously to consider of.

T The

The Nature & Power OF SYNODS.

The Second Question.

Queſt. 2. *WHat be the grounds from Scripture to warrant Synods?*

Anſw. In anſwer to this Queſtion, we ſhall propound to conſideration three Arguments from Scripture, and five Reaſons.

Arguments.

Argum: 1 Taken from *Acts* 15. An orderly Aſſembly of qualified Church-meſſengers (Elders and other Brethren) in times of controverſie and danger, concerning weighty matters of Religion, for the conſidering, diſputing, finding out and clearing of the truth, from the Scripture, and eſtabliſhing of Peace amongſt the Churches, is founded upon *Acts* 15.

But a Synod is an orderly Aſſembly of qualified Church-meſſengers (Elders and other Brethren) in times of controverſie and danger, concerning weighty

weighty matters of Religion; for the conſidering, diſputing, finding out, and clearing of the truth, from the Scriptures, and eſtabliſhing of peace amongſt the Churches. *Ergo*, A Synod is founded upon *Acts* 15.

For the confirming of this Argument, three diſtinctions are to be premiſed, and ſome Objections to be ſatisfied. The firſt diſtinction is for the clearing of the queſtion; the other with the ſatisfaction to the Objection, for the clearing of the Text.

Diſtin: 1 The neceſſity of Synods is either
1 Abſolute.
2 Reſpective.

Synods are not neceſſary Abſolutely, *i. e.* unto the being, but reſpectively, *i. e.* unto the wel-being of Churches.

Diſtin: 2 In this Synod ſome things are firſt Extraordinary, and not Exemplary, ſome whereof were certainly ſo, and the reſt may ſeem to be ſo unto divers. As

1 The Quality of ſome of the Members, *ſc.* Apoſtles, *v.* 6. 23.
2 The Stile, *v.* 28.
3 The manner of the Impoſition of

their Sentence, as immediately and politically binding, at leaſt as ſome Expound the place.

4 The Object upon whom they impoſed the keeping of their Decrees, *viz.* abſent Churches, *verſ.* 23. *chap.* 16. 4 ſome of which were neither called, nor had ordinary Members, or Meſſengers there.

Others were Ordinary, *ergo* Exemplary, as

1 The publick meeting of Church-meſſengers, Elders, and other Brethren.

2 The propounding of matters to be conſidered.

3 The diſputing of them, *v.* 7.

4 The joynt reſolutions of the queſtions, out of, and according to the Scriptures, *v.* 15, 16.

5 The declaration and delivery thereof unto the Churches, to be accepted of, and kept by them, *Acts* 16. *v.* 4.

6 Order in all.

The Apoſtles were Elders and Members of every Church, *ergo*, here were aſſembled Elders and Meſſengers of all Churches, *ergo*, in ſome reſpect it may be called an univerſall Counſel.

Hence

Hence look upon what was extraordinary, ſo it may warrant the greateſt Counſel; look upon what was ordinary therein, and ſo it warrants the ſmalleſt Counſel.

In this Synod are to be conſidered the *Diſtin: 3*

Subſtantials: Matter and Forme.

Circumſtantials: Conſtantly, ſuch as neceſſarily accompany every Synod. Occaſionally, which accompany the Synod *pro hic & nunc* (*i e.*) according to the circumſtances of this time and this place.

That which is commanded as continually binding, *Acts* 15. is the circumſtantials of a Synod, the conſtant circumſtantials, and ſuch occaſionally as are to edification, *pro hic & nunc.* Theſe two laſt diſtinctions rightly applied, may ſatisfie many lighter Objections, which we ſhall not therefore trouble the Reader with.

If in times of Controverſie, about weighty matters of Religion, the Aſſembling together of Apoſtles (who knew the truth before they came on to the Synod, and one of them was great- *Argum: 2* Taken by proportion from *Gal.* 2. 2.

er than all particular Churches) was needfull for the teſtifying to the carrying on of the truth (which is leſſe than the finding out, teſtifying to, carrying on of the truth) if warranted out of the Scripture) then the Aſſembling together of Churches by themſelves, or by Church-meſſengers (either of which is a Synod) to the finding out, teſtifying to, and better carrying on of the truth, is warrantable out of the Scriptures.

But in ſuch times of controverſie, the Aſſembling together of Apoſtles (one of whom was greater than all particular Churches) for the teſtifying to, and better carrying on of the truth, is warranted out of the Scripture, *Gal.* 2. 2.

Ergo, In ſuch times of controverſie, the Aſſembling together of Churches by themſelves, or by the Church-meſſengers (either of which is a Synod) for the finding out, teſtifying to, and better carrying on of the truth, is warranted out of the Scripture.

The Argument proceeds from the greater to the leſſer, thus; If the truth in times of weighty controverſies had

need

need of the help of the Assembling together of Apostles, then in like times it hath much more need of the Assembling together of Churches. If Apostles at such times had need of the help of other Apostles, then Churches in like times had need of the help of other Churches.

Such Assemblies, the examples whereof are recorded and approved in the Scripture, are warranted out of the Scriptures.

But the orderly Assembly of the qualified people of God, for the considering of matters of Religion, in times of weighty controversies, are such Assemblies, the examples whereof are recorded, & commended in the Scriptures, *erg.* The orderly Assembly of qualified persons for the considering of matters of Religion, in times of weighty controversies, is warranted out of the Script: *Argum:* 3

Ezra 7. 14. *Ezra* inquires of the Lord (*id est*) consults of the worship of God. 1 *Chron.* 13. 2. *David* consults with the Congregation concerning the carrying of the Ark to its place. 2 *Chr.* 30. 2. *Hezekiah* had taken Counsel of all his Princes, and all the Congregati- Minor proved.

on in *Jerusalem*, to keep the Passeover in the second moneth. The approved examples of the godly, of imitable and usefull nature in practicall cases, is a rule unto us.

Reason 1 From the Causes. When the cause of a Synod remains, there opportunity being had, the warrantable use of Synods remaines. But under the Gospel the causes of Synods remaine, *ergo*.

Under the Gospel the use of Synods is warrantable.

The Causes of Synods are either preventing, removing of, or recovering from errors and divisions; or providing for, preserving of, or restoring of truth and peace in matters of Religion.

Reason 2 From the End of Synods. Where there is use of the Ends of Synods, namely to clear and declare the truth from scripture, in times of weighty controversie, there the use of Synods is warrantable.

But under the Gospel there is use of the end of Synods, namely to clear and declare the truth from Scripture, in times of weighty controversie, *ergo*.

Under the Gospel the use of Synods is warrantable.

Preheminency of knowledge, concerning Church matters, is in the Synod; hence the question is aris'd to the Synod.

Church Authority is onely placed in the Churches; hence the cause remaines with the particular Churches.

That which is the greatest externall means of the Union of Churches, in one judgement, and consequently an especiall help to preserve communion of particular Churches, is of warrantable use. *Reason* 3 From the Communion of Churches.

But a Synod is the greatest externall means to Unite Churches in one judgement, by conferring apprehensions for the concurring in the same Sentence: *ergo*, a Synod is of warrantable use.

That without which particular Churches in divers of their Administrations are in danger to run in vaine, is of warrantable use: *Reason* 4 From the Efficacy of Church-Administrations.

But without the approbation of other Churches for the end whereof Synods are an especiall means, particular Churches are in divers of their Administrations in danger to run in vaine, from the example of the Apostles, *Gal.* 2. 2.

Ergo,

Ergo, Synods are of warrantable use.

Reason 5 From the Nature of Church-matters. If the weighty Transactions of each particular Church are such (and so concerning particular Neighbouring Churches) as that it is meet that all Neighbouring Churches should be acquainted and consulted with thereabout, and Synods be the fittest means for that end; then Synods be of warrantable use:

But the weighty Transactions of all particular Churches are such (and so concerning all particular Neighbouring Churches) as that it is meet that all neighbouring Churches be acquainted and consulted with thereabout; and Synods be the fittest means to that end, *ergo*, Synods are of warrantable use.

Quod tangit omnes, spectat ad omnes.
The Cognizance of that belongs to all, whose practice concerns all.

Objections against the urging of that Synod, Acts 15. as an example warranting our ordinary
SYNODS.

Object. 1. *Paul* and *Barnabas*, and the other

other Brethren sent by the Church of *Antioch*, were sent unto the Elders and Apostles, *vers.* 2. but we doe not read that the Churches were sent unto, which in ordinary Synods order calls for.

Resp. 1. Though it be not in so many words expressed that the Churches were sent unto, yet it cannot be denyed but they might be sent unto implicitely, though not explicitely.

2 'Tis not to be doubted, but that the Church of *Antioch*, and the Church of *Jerusalem*, walked by the same rule: As therefore *Paul* and *Barnabas* went not to this Assembly without the cognizance of the Church of *Antioch*, so we may well think the Apostles and Elders at *Jerusalem* came not to this Assembly without the cognizance of the Church of *Jerusalem*.

3 Considering the extraordinary power of the Apostles: It is a sufficient acknowledgment of the liberty of Churches, that they had orderly and seasonable notice of the Assembly, were present at it, and were joyned together with the Apostles in the conclusions of it; all which are manifest from the Text,

Text, either in expreſſe words, or juſt Conſequence from thence, *verſ.* 4. 22, 23.

Object. 2. Our Synods conſiſting onely of ſuch Members as are Meſſengers of Churches, ſeem not to be exemplified by that, *Acts* 15. becauſe that Aſſembly was conſtituted not of Meſſengers of the Church of *Antioch*, and the whole Fraternity of the Church of *Jeruſalem*.

Reſp. 1. It's not to be doubted but the Apoſtles and Elders were preſent, according to the deſire of the Church of *Jeruſalem*, and ſo were as Meſſengers.

2 'Tis all one upon this point, whether a Church be preſent by the Fraternity it ſelfe, or by their Meſſengers: If conveniency of the place, and tranſaction of affaires will permit, 'tis at the choyce of the Fraternity to be preſent immediately, or to ſend their Meſſengers.

3 What the Fraternity of *Jeruſalem* did here, the like may the Fraternity of any Church in like caſes doe with us; as the Church of *Cambridge* (for inſtance) now if they pleaſe.

4 Where

4 Where the Fraternity is present formally, there the Messengers are present virtually.

5 In such cases where the presence of the Fraternity immediately, or sending of Messengers are occasionall circumstances (of which before) 'tis in the liberty of the Fraternity to doe as they judge most for their Edification.

Object. 3. The judgement of the question in our Synods or Assemblies, ordinarily proceeds joyntly from the Messengers of all Churches; at least the major part of them. But the judgements concerning matters agitated in that Synod, *Acts* 15. seems to proceed from one part thereof onely, namely the Church of *Jerusalem*, as appears by the Letters sent from thence, not mentioning any part of that judgement, as proceeding from the Church Messengers of *Antioch*.

Resp. 1. We may distinguish between the Synods passing for acts of judgement upon the Question discussed, and the sending of that judgement passed by the Synod. That the Messengers of the Church of *Antioch* did judge joyntly with the Church of *Jerusalem*, concern-

cerning the matters agitated in that Synod, appears thus: In every regular discharge of the duty of the Church-messengers in a Synod where there is a concurrence of ability, right, and duty, to passe an actuall judgement, as declarative to the truth, there was an actuall judgement.

But such was the case in this Synod, *ergo*.

The Reason why the judgement of the Church of *Jerusalem*, and not of the Messengers of the Church of *Antioch*, is onely made mention of in the letter, might be, because the judgement of the Church-Messengers of *Antioch* was already known to the Church; nor had they any doubt of their Messengers concurrence with the Church of *Jerusalem* in the present Conclusions; if there were any doubt in that respect, they were personally present to satisfie it.

8 Because the contrary minded had already signified their non acquiescence not resting, either in the judgement of the Church of *Antioch*, or their Messengers, in the delivery of the Decrees of the Synod unto Churches, there appears

pears not any cause out of the Text, to doubt the delivery of the same, as the joynt judgement of them all, but the contrary.

Object. 4. A party may not be a Judge. *Paul* and *Barnabas* were parties in this businesse, *Acts* 15. *ergo.*

Resp. 1. *Paul* and *Barnabas* here are not properly parties, in that they act not their owne case, but the case of the truth, & that as sent from the Church.

2 Though they be supposed to be parties, yet it's not universally true, that a party may not be a Judge.

As 1 In case the party offended be a society, or some publick person equivalent.

2 In case the party in such acts of judgement, be freed from error; which was the present condition of the Apostles, guided in their administrations by an infallible spirit.

Object. 5. This Synod, *Acts* 15. so speaketh, as having power to lay the truth of God (cleared and declared by it) as a burthen upon the Churches, *v.* 28. which our ordinary Synods seem not to have power to doe.

לשא *Septuag.* βῆμα some call it λῆμμα, *vid. Schindl. Leni.*

Resp. The notion or tearm [*burthen*] may

may be taken politically (*i. e.*) for a truth impoſed by virtue of Church power and Authority: this though the Apoſtles as Apoſtles might doe, yet if they did ſo in this place (which we rather conceive not) it was extraordinary, and Conſequently not Exemplary.

Or the word *Burthen*, may be taken for the charging of the Church to receive and yield Obedience in the Lord unto the truth, diſcuſſed, cleared, and orderly commanded to them: In which ſenſe if we take it here according as it's taken in divers places elſwhere, *Pro.* 30. 1. & 21. 1. *Rev.* 2. 24. then the ſtile or manner of ſpeaking is exemplary.

OF

OF THE POWER OF Synods.

The Third Question.

What is the Power of a Synod? Quest. 3.

The Power of a Synod Resp.

Is { Decisive / Directive, & / Declarative } of the truth, by clearing and evidencing the same out of the word of God: not ruling, yet more than *discretive*.

For the better understanding hereof, consider that Ecclesiasticall Power is

1 Decisive, in determining by way of discussion and disputation, what is truth, and so consequently resolving

the Question in weighty matters of Religion, *Acts* 15. 16, 28. & 16. 4. This belongs to the Synod.

2 Discretive, in discerning of the truth or falshood that is determined; this belongs to every Believer.

3 Coactive or judicial (for we omit to speak in this place of Official judgement) in judging of the truth determined Authoritatively, so as to impose it with Authority, and to censure the disobedient with Ecclesiastical censure, 1. Cor. 5. 12. *Mat.* 18. 17. This belongeth to every particular Church.

The judgement of a Synod is in some respect superiour, in some respect inferiour to the judgement of a particular Church; it is superiour in respect of direction; inferiour in respect of jurisdiction, which it hath none.

Quere. *How, and how far doth the sentence of a Synod bind?*

Answ. We must distinguish between the Synods declaration of the truth, and the politicall imposition of the truth declared by the Synod.

The Synods declaration of the truth binds not politically, but formally onely,

(*i.e.*) *in foro interiori* (*i.e.*) it binds the conscience, and that by way of the highest institution that is meerly doctrinall. The politicall imposition of the truth declared by the Synod, is Ecclesiasticall, or Civil: Ecclesiasticall, by particular Churches, and this binds not onely formally, but politically, *in foro exteriori*, i.e. it binds the outward man, so as the disobedient in matters of offence, *in subjecto* Church censure, affirmatively, towards their own Members; negatively, by non communion, as concerning others, whether Church or Members. Civil, by the Magistrate strengthening the truth thus declared by the Synod, and approved by the Churches, either by his meer Authoritative suffrage, assent, and testimony, (if the matter need no more) or by his authoritative Sanction of it by Civill punishment, the nature of the offence so requiring.

Supremi Magistratus approbatio est suprema (ut dicunt) attestatio. Fr. Hom. disp. 18. Th. 4. & disp. 17. Thes. 3.

In this orderly proceeding of the Churches, and Civil Magistrate together in their respective politicall imposition of the truth cleared and declared by the Synod, we are to be understood

derstood to speak of such a place wherein the Christian Magistrates walk so orderly, reserving Ecclesiasticall binding power to the particular Churches, where either there is no Magistrate, or the Magistrate is wanting in his duty; as also civil power to the Christian Magistrate, where the Churches are wanting to their duty.

The Fourth Question.

Quest. 4. *To whom belongeth the power of calling a Synod?*

Answ. For satisfaction to this Question, we shall propound one distinction, and answer three Queries.

Distinct. The power of calling Synods is either

Single { Authoritative, belonging to the Magistrates. / Ministeriall, belonging to the particular Churches.

Mixt { When both proceed orderly and joynely in the use of their severall powers.

Arguments, proving the Authoritative Power of Calling SYNODS, to belong to the Magistrate.

1 Because the Magistrate is *Custos utriusq; Tabulæ*, i. e. Charged with the custody of both Tables: That he is keeper of the second Table is granted, that he is keeper of the former, is sufficiently proved in the first Question.

2 From the recorded and approved examples of godly Kings in the Scriptures: *David*, 1 Chron. 23. 2. *Hezekiah*, 2 Chron. 29. 4. *Josiah*, 2 Kin. 23. 1, 2.

3 From the nature of such great Assemblies: Though Synodicall Assembling be spirituall, yet meer assembling of a multitude together (which a Synodicall Assembly presupposeth) is a Civil act, and therefore cannot in good policy be suffered without the consent of the Magistrate.

4 From the necessary (though not

essentiall) requisites to the being of a Synod, as place, time, manner of meeting, peace, all which need the consent of the Magistrate in case of violent disturbance: the Churches as such, having no civill power to defend them, cannot but want the assistance of the Magistrate, that they may meet and transact the matters of the Synod in safety and quietnesse.

5 From the proportion that the Magistrates Con-coactive or calling power of a Synod, holds with his confirmation of the conclusions of the Synod; the same reason that warrants his confirming power for the better strengthening the observation of the conclusions of the Synod, warrants his calling power for the better being of the Synod.

Arguments proving the Ministeriall Power of Calling Synods (which may be fitly called a power of liberty, because Churches therein have no Authority one over another) to belong unto the particular Churches.

1 From that famous example, *Acts* 15. where the Synod meets, and sits, without the call of Civil Authority; there being then no Christian Magistrate.

2 Because the power of the constitution of Synods, as properly such, firstly resideth with, ariseth from, and lastly returneth to particular Churches.

3 Because the power of the Magistrate tends not to the being, but to the better being of Synods; and added thereunto is accumulative, not privative (*i. e.*) it adds strength to it, but takes not any power from it: Hence a Synod may in case be with-

opt any consent of the Magistrate, but cannot be without some kind, explicite or implicite, of the Churches.

4 Because the Lord Jesus hath invested the Churches with sufficient Ecclesiasticall power in the best Ecclesiasticall manner, to attaine their Ecclesiasticall end, which yet were not, if they had not power of themselves by joynt consent to call a Synod.

Queries.

Querie 1 *In what case may the Magistrate proceed to call a* Synod *without the consent of the Churches?*

Answ. The Magistrate in case the Churches be defective, and not to be prevailed with, for the performance of their duty, (just cause so requiring) may call a Synod, and the Churches ought to yield obedience thereunto.

But

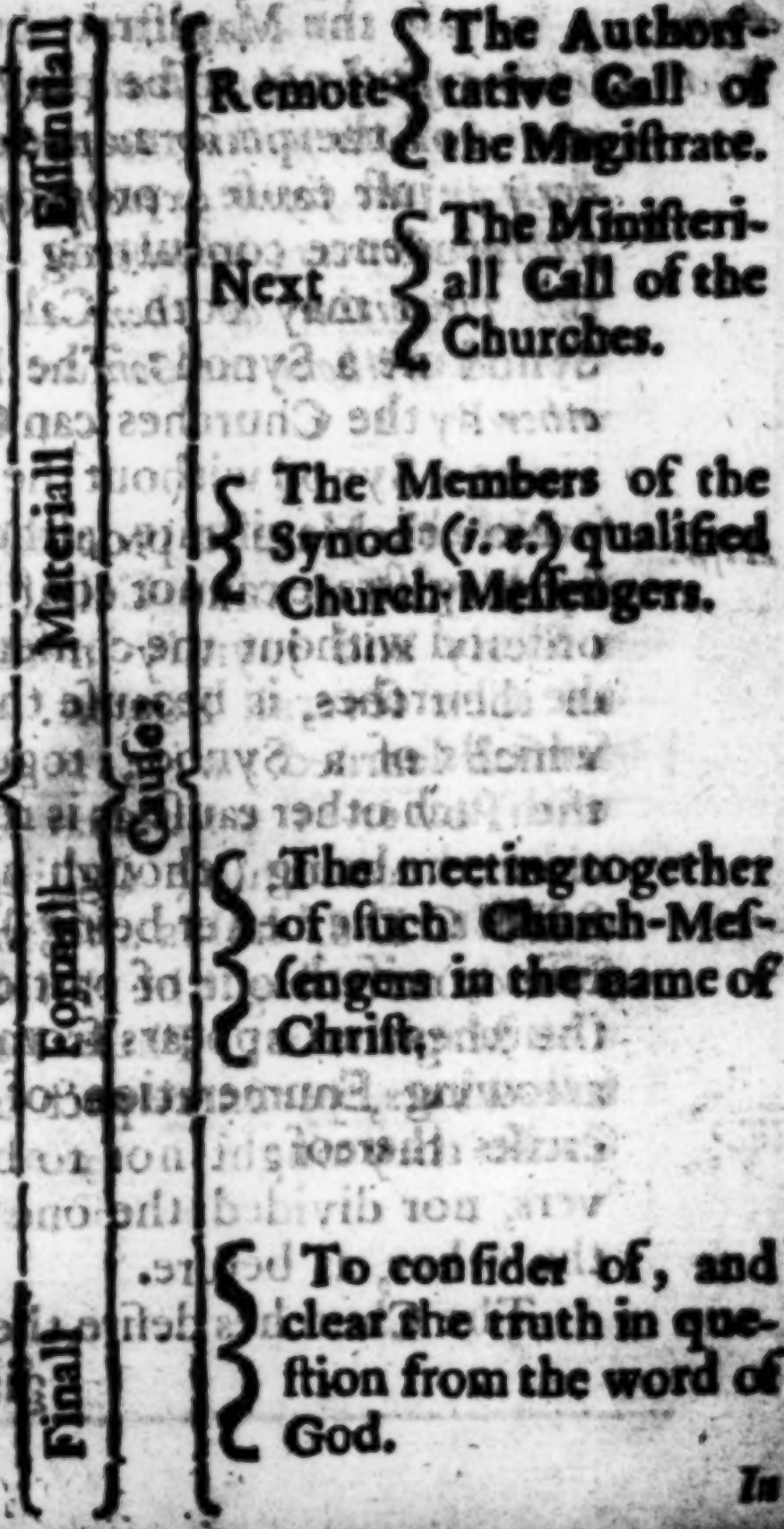
But notwithstanding the refusall, he may proceed to call an Assembly, and that for the same end that a Synod meetes for, namely, to consider of, and clear the truth from the Scriptures, in weighty matters of Religion: But such an Assembly called and gathered without the consent of the Churches, is not properly that which is usually understood by a Synod, for though it be in the power of the Magistrate to Call, yet it is not in his power to Constitute a Synod, without at least the implicite consent of the Churches: Because Church-Messengers, who necessarily presuppose an explicite (which order calls for) or implicite consent of the Churches, are essentiall to a Synod.

In what case may the Churches call a Synod *without the consent of the Magistrate?* Querie 2

In

Answ. In case the Magistrate be defective, and not to be prevailed with for the performance of his duty; just cause, providence, and prudence concurring: The Churches may both Call and Constitute a Synod: The Reason why the Churches can Constitute a Synod without the consent of the Magistrate, although the Magistrate cannot constitute a Synod without the consent of the Churches, is because the essentialls of a Synod, together with such other cause as is required to the being (though not so much to the better being) of a Synod, ariseth out of particular Churches: as appears from the following Enumeration of the Causes thereof:

The


The Authoritative Call of the Magistrate.
Remote
Next
The Ministeriall Call of the Churches.
Essentiall
Materiall
The Members of the Synod (i. e.) qualified Church-Messengers.
The
Formall
Cause
The meeting together of such Church-Messengers in the name of Christ.
Finall
To consider of, and clear the truth in question from the word of God.

In

Quest. 3. *In case the Magistrate and Churches are both willing to proceed orderly in the joynt exercise of their severall Powers, whether it is lawfull for either of them to call a Synod without the Consent of the other?*

Answ. No; they are to proceed now by way of a mixt Call (*i. e.*) orderly and joyntly in the use of their severall Powers. That which learned *Parker* speakes of the Power of particular Churches, concerning Calling of SYNODS, holds also in this case concerning the Power of the Magistrate; Their Powers are divers, yet in respect of exercise they ought not to be divers, nor divided the one from the other, as before.

The Churches desire the Magistrate

giſtrate Commands; Churches act in a way of liberty, the Magiſtrate in a way of Authority. *Moſes* and *Aaron* ſhould goe together, and kiſs one another in the Mount of GOD.

Courteous Reader;

BY reason of the Death of the Reverend Author, and the far distance of his loving Friend (the Publisher of this Booke) some faults may have escaped the Presse, for the which the Printer desireth excuse.

Vale.